

Remarks

Claims 1-40 are pending. Claims 1, 21, 22, 31, and 33 are amended. Claims 1, 21, 31, and 33 have been amended to clarify that the recited bending or bend moments include a bending in at least a transverse direction. Claim 22 was amended to remove the support member term. Support for the claim amendments can be found in the specification, inter alia, at page 13, line 9 et seq., page 19, line 25 et seq., and Figs. 4 and 5.

Applicants thank the Examiner for indicating that claims 26, 27, 29, 30, 39 and 40 contain allowable subject matter.

Based on the foregoing amendments and the following remarks, Applicants respectfully request reconsideration of the outstanding rejections and passage of the claims to allowance.

Information Disclosure Statement

Applicants note that references C2 and C3 were crossed off the initialed 1449 form, originally submitted with the IDS of July 1, 2003. No explanation was provided as to why these references were not considered. Applicants respectfully request that the Patent Office provide a brief explanation in the next Office Action regarding why the references were crossed off. In the event that copies of those references were not provided or were lost, Applicants attach herewith courtesy copies of references C2 and C3.

§ 102 Rejections

Claims 1-25, 28 and 31-38 were rejected under 35 USC § 102(b) as being anticipated by Adams, et al (U.S. Patent No. 6,122,421).

Without acquiescing to the propriety of the rejection, Applicants amended the independent claims to recite that the bending moments applied to the support member/grating are “in at least a transverse direction.” For example, a transverse bending is shown in the exemplary embodiment of Fig. 4, which shows optical grating 116 coupled to support member 130 having at least two bending moments applied thereto, where the support member/grating is displaced transverse to the direction of the waveguide axis.

In contrast, Adams does not disclose this feature. Instead, Adams only shows expansion (i.e., stretching) or contraction of the body 14. See Adams, Fig. 1. Adams does not disclose, teach, or suggest at least a transverse bending, as is claimed.

Accordingly, Applicants respectfully submit that the rejection of claims 1-25, 28 and 31-38 under 35 USC § 102(b) as being anticipated by Adams, et al (U.S. Patent No. 6,122,421) has been overcome and should be withdrawn.

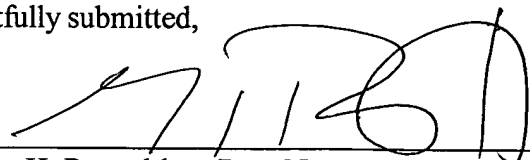
Conclusion

In view of the above, it is submitted that the application is in condition for allowance. Reconsideration of the application is requested. Please contact the undersigned should there be any questions or in order to expedite prosecution.

Respectfully submitted,

4-20-04
Date

By:



Gregg H. Rosenblatt, Reg. No.: 45,056

Telephone No.: (512) 984-7443

Office of Intellectual Property Counsel
3M Innovative Properties Company
Facsimile No.: 651-736-3833

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